



*John T. Aubberger
Supervisor*

TOWN OF GREECE

PLANNING BOARD MINUTES

OCTOBER 20, 2010

THE MEETING BEGAN AT 7:00 P.M.

PRESENT

Alvin I. Fisher, Jr., Chairman
Alfred S. Ancello
Brian E. Marianetti
Grace L. Plouffe
William E. Selke
Michael H. Sofia
Christopher A. Schiano, Deputy Town Attorney
Scott R. Copey, Clerk of the Planning Board
John Gauthier, P.E., Associate Engineer
Linda R. Lamb, Planning Board Secretary

ABSENT

Christine R. Burke

**ADDITIONS, DELETIONS AND CONTINUANCES TO THE
AGENDA**

ANNOUNCEMENTS

PLANNING BOARD MINUTES
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PUBLIC HEARINGS

Old Business

1. Applicant: Woodcreek Developers

Location: Generally, north of Latta Road and west of Flynn Road
Request: Final plat approval for Section 4 of the Avery Park subdivision,
consisting of 16 lots on approximately 6.38 acres
Zoning District: R1-E (Single-Family Residential)
Mon. Co. Tax No.: 033-04-2-62.111

Motion by Ms. Plouffe, seconded by Mr. Marianetti, to continue the application to the November 4, 2010, meeting, as requested by the applicant.

VOTE:	Ancello	- yes	Burke	- absent
	Marianetti	- yes	Plouffe	- yes
	Selke	- yes	Sofia	- yes
			Fisher	- yes

MOTION CARRIED
APPLICATION CONTINUED TO
NOVEMBER 4, 2010, MEETING

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New Business

1. Applicant: Forest Creek Equity Corporation

Location: Generally, south of Janes Road and west of New York State Route 390

Request: Final plat approval for Section 2 of the Regency Park subdivision, consisting of 55 lots on approximately 13.86 acres

Zoning District: RMH (Multiple-Family Residential)

Mon. Co. Tax No.: Split of parent 045.02-1-11.211

The following is a synopsis of the discussion pertaining to the above-referenced request:

Walt Baker, DSB Engineers and Architects PC, and Jeremy Smith of Forest Creek Equity presented the application.

Mr. Baker: We are here tonight for final approval of Section 2 of the Regency Park subdivision. The overall project is 184 lots with Section 2 being 55 lots on approximately 14 acres. We received final approval of Section 1 for 33 lots which is under construction and moving along nicely. We have received town staff comments for Section 2 and have no issues with those comments.

Mr. Copey: Outside of a few detail comments from the Fire Marshal, there were no substantive comments.

Mr. Gauthier: If Mr. Baker agrees to the few comments we made, we would have no issue with approval.

Mr. Baker, Yes, we do.

Mr. Copey: The resolution is basically the same was for Section 1 outlining the setback requirements.

Mr. Selke: I'd like to say I was out to the site today and it looks very good. Nice job.

Motion by Mr. Selke, seconded by Ms. Plouffe:

The environmental review was completed pursuant to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (NYCRR Part 617 et seq., the "SEQRA Regulations") (collectively, "SEQRA") when the preliminary plat was approved by the Planning Board, at which time the Proposal was classified as an Unlisted action. The final plat is consistent with the preliminary plat. Therefore, SEQRA requires no further environmental review by the Planning Board.

VOTE:	Ancello	- yes	Burke	- absent
	Marianetti	- yes	Plouffe	- yes
	Selke	- yes	Sofia	- yes
			Fisher	- yes

MOTION CARRIED

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Mr. Selke then made the following motion, seconded by Ms. Plouffe, to approve the Proposal, subject to the following conditions:

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally presented to the Planning Board, and as set forth herein. In the event of any conflict among the oral or written descriptions of the proposal, the site development plans of the proposal, or the requirements or restrictions of this resolution, the Applicant agrees that the Planning Board shall determine the resolution of such dispute.
2. Any Town of Greece approval or permit for these premises does not relieve the applicant, developer, or owner of the premises from obtaining all other town, county, state, or federal government approvals or permits that are required for the premises.
3. A dated signature of the owner/developer shall be added to the plans.
4. No building permits shall be issued unless and until highway permits are issued.
5. The subject property is zoned RMH (Multiple-Family Residential). The Planning Board hereby determines, and the Applicant has offered and agreed, that the following setback, lot dimension, lot area, and lot coverage requirements shall apply for each residential lot in this subdivision:
 - a) Setback requirements for Principal Structures:
 - The minimum front setback for principal structures shall be 30 feet from the proposed public street right-of-way line.
 - The minimum side setback for principal structures shall be 5 feet.
 - The minimum rear setback for principal structures shall be 20 feet.
 - b) Setback requirements for accessory structures shall be those specified for the R1-8 zoning district in Table 1 of the Town's Zoning Ordinance.
 - c) Lot Size requirements:
 - The minimum lot width shall be 55 feet.
 - The minimum lot depth shall be 100 feet.
 - The minimum length of the front lot line shall be 40 feet.
 - The minimum lot area shall be 6,000 square feet.
 - d) The maximum lot coverage requirement shall be 30%.
6. The minimum side setback for principal structures in this subdivision is five (5) feet. An easement shall be provided over the side yards of lots in this subdivision in the interest of maintaining clear access for emergency response between structures. A note shall be added to the plat which reflects the filing of this easement document, citing the Liber and page at which it was filed in the Office of the Monroe County Clerk.
7. As required by the Planning Board in the Preliminary Plat approval resolution, a 50-foot-wide conservation easement shall be provided along the east and west sides of this subdivision. Such conservation easement shall prevent the erection of structures and fences and shall prevent the removal of vegetation. The purpose and intent of such easement is to provide for the establishment and maintenance of an

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adequate buffer between the proposed homes and adjoining uses. Such conservation easement will overlay portions of required drainage easements, but shall be subordinate to said drainage easements. Such conservation easement shall be subject to approval by the Town Attorney and Planning Board Clerk, and shall be filed in the Office of the Monroe County Clerk prior to the issuance of building permits.

8. This subdivision section is located within an area in which the Town levies a sanitary sewer surcharge. A sanitary sewer entrance fee surcharge shall be required for each building lot in this subdivision, payable to the Town upon the issuance of the original building permit for each house. A note that indicates these requirements shall be added to the plat.
9. Buildings shall conform to the elevations and locations shown on the approved subdivision or grading plans. At any time prior to the issuance of a certificate of occupancy, the Town may require certification of the location and elevation of the top of block of a basement or cellar. Certification of the as-built location shall be in the form of an instrument location map prepared by a licensed land surveyor. Certification of the as-built elevation, in relation to the vertical datum shown on the approved plans, may be in the form of either a survey note on the instrument location map, or an elevation certification form or separate letter prepared by a licensed land surveyor or licensed professional engineer. A note that indicates this requirement shall be added to the plat.
10. Driveways for Lots 210, 211, 216, 235, 236, and 255 shall be at least 30 feet from the end of pavement unless the adjacent section is developed before or concurrently with these lots. A note that indicates this shall be added to the plat.
11. The street names and addresses of the lots in this subdivision shall be added to the plat.
12. The Town's *2001 Community Master Plan Update* (Clough, Harbour & Associates, September 2001) contains current and projected population growth; an inventory and analysis of public, private, and semi-private recreation facilities, both active and passive; and recommendations for future actions. Based on this document, the Planning Board finds that the Town currently needs, or will need, additional park and recreation space in the vicinity of the Proposal. The Planning Board further finds that development of this subdivision will contribute to the demand for additional park and recreation space, and that this subdivision provides no suitable park or recreation land to address such current or future need. Therefore, pursuant to New York State Town Law, Section 277, payment of the Town's recreation fee shall be required for each building lot in this subdivision, payable to the Town upon the issuance of the original building permit for each house. A note that indicates this requirement shall be added to the plat.
13. Town of Greece Landscape Guidelines recommend that at least one street tree be planted in the tree lawn of every lot in a residential subdivision. However, given the relatively close placement of houses to each other in this subdivision, street trees shall be planted in the tree lawn of every other lot in this subdivision, for the intent and purpose of maintaining clear access for emergency response vehicles. The Board determines that additional trees being proposed for buffering along the outer edges of the Premises will compensate for the reduction in street trees. The final location of street trees shall be subject to approval by the Town's Tree Council, Commissioner of Public Works, Fire Marshal, and Planning Board Clerk. Street trees and trees proposed for buffering shall be included in the Letter of Credit for each section of the subdivision.

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14. No final approval signature shall be placed on the plat or plans unless and until the appropriate easement documents have been prepared and provided to the Town for review.
15. No building permits shall be issued for any of the lots in this subdivision unless and until the appropriate easement documents, including all necessary map references, have been filed in the Office of the Monroe County Clerk. The Liber and Page of easement filing shall be referenced on final as-built record drawings provided to the Town.
16. No building permits shall be issued for any of the lots in this subdivision unless and until a digital copy of the plans has been submitted. All sheets in the drawing set, with all necessary signatures and the Liber and Page at which this final plat is recorded in the Office of the Monroe County Clerk, shall be provided in Tagged Image File (".TIF") format at a minimum resolution of 400 dpi.
17. Subject to approval by the Town's Chief Engineer, Commissioner of Public Works, and Fire Marshal.
18. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include successors and assigns.
19. Wherever this resolution refers to a specific public official or agency, it shall be construed to include successors and assigns.
20. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

VOTE:	Ancello	- yes	Burke	- absent
	Marianetti	- yes	Plouffe	- yes
	Selke	- yes	Sofia	- yes
			Fisher	- yes

MOTION CARRIED
APPLICATION APPROVED
WITH CONDITIONS

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SITE PLANS

Old Business

1. Applicant: Church of Christ, Inc.

Location: 25 Lawson Road

Request: Site plan approval for a proposed 3,168 sq. ft. building addition (fellowship hall, kitchen, offices, storage, restrooms, and elevator) to an existing place of worship with related parking, utilities, grading, and landscaping on approximately 1.1 acres

Zoning District: R1-8 (Single-Family Residential)

Mon. Co. Tax No.: 060.07-3-37

The following is a synopsis of the discussion pertaining to the above-referenced request:

Gary Garafalo, PE, Razak Associates presented the application with John Brazas, Trustee and Elder, Church of Christ.

Mr. Garafalo: The project consists of a 57.86 ft. x 43.83-foot addition to the existing church. Due to fire code requirements, we are expanding both the east and west drive aisles to 20 feet, adding a fire hydrant in the public right-of-way, and installing a fire sprinkler system in the building. The project generally drains from northwest to southeast into Fleming Creek. We are proposing a dry pond for storm water retention. At this point, we feel that we have addressed all Town staff comments.

Mr. Copey: As a reminder, on September 7 of this year the Board of Zoning Appeals granted variances for parking and pavement setbacks, as well as a variance to allow a portion of the parking to exist on a neighboring site. The conditions include a requirement stating the owners must notify the Town of any termination of the parking agreement. We have received a copy of the signed parking agreement.

Mr. Gauthier: You have responded to the majority of our concerns in a positive manner. Do you have a purpose for the culvert and was there authorization for it to be there? Before I sign final drawings, I will need that information.

Mr. Garafalo: The church has been in existence since 1955, so providing documentation regarding authorization may be difficult. I have worked up some analysis on the culvert and can provide that information.

Mr. Gauthier: With new development, if there isn't a purpose, now would be the time to remove it. The culvert is in the floodplain and should be scrutinized. I don't have a problem recommending approval but we will need to review this.

Mr. Garafalo: Will an assessment suffice?

Mr. Gauthier: Yes.

Mr. Schiano: I want to make sure that the church is put on notice regarding the parking license agreement.

Mr. Garafalo: I sent to the Town the last round of plans for review prior to the church group getting a chance to approve them. Mr. Brazas is a bit concerned they may feel the new landscape plans are a bit too heavy or may request different species. We would like to request, as part of the approval, the opportunity to work with the Town on potential changes which would occur prior to final signoff.

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Mr. Copey: Mr. Garafolo and I have spoken about this. The landscaping we are talking about is on the south side of the building and the beneficiary of that would be the church themselves. It isn't an issue for the neighbors or view from the road. We can modify the condition that they will work with us on the possibility to modify or reduce the landscaping.

Motion by Ms. Plouffe, seconded by Mr. Selke

WHEREAS, Church of Christ, Inc. (the "Applicant") has submitted a proposal to the Town of Greece Planning Board (the "Planning Board") for approval of a site plan, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 25 Lawson Road (the "Premises"); and

WHEREAS, the Planning Board makes the following findings:

1. Upon review of the Proposal, the Planning Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617 *et seq.*, the "SEQRA Regulations") (collectively, "SEQRA"), and that the Proposal constitutes an Unlisted action under SEQRA.
2. The Planning Board has considered the Proposal at a public meeting (the "Meeting") in the Greece Town Hall, 1 Vince Tofany Boulevard, at which time all persons and organizations in interest were heard.
3. Documentary, testimonial, and other evidence were presented at the Meeting relative to the Proposal for the Planning Board's consideration.
4. The Planning Board carefully has considered an Environmental Assessment Form and supplementary information prepared by the Applicant and the Applicant's representatives, including but not limited to supplemental maps, drawings, descriptions, analyses, reports, and reviews (collectively, the "Environmental Analysis").
5. The Planning Board carefully has considered additional information and comments that resulted from telephone conversations, meetings, or written correspondence from or with the Applicant and the Applicant's representatives.
6. The Planning Board carefully has considered information, recommendations, and comments that resulted from telephone conversations, meetings, or written correspondence from or with various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development, the Monroe County Department of Environmental Services, the Town of Greece Environmental Board, and the Town's own staff.
7. The Planning Board carefully has considered information, recommendations, and comments that resulted from telephone conversations, meetings, or written correspondence from or with nearby property owners, and all other comments submitted to the Planning Board as of this date.
8. The Environmental Analysis examined the relevant issues associated with the Proposal.
9. The Planning Board has met the procedural and substantive requirements of SEQRA.
10. The Planning Board carefully has considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQRA.

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11. The Planning Board carefully has considered (that is, has taken the required "hard look" at) the Proposal and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis.
12. The Planning Board concurs with the information and conclusions contained in the Environmental Analysis.
13. The Planning Board has made a careful, independent review of the Proposal and the Planning Board's determination is rational and supported by substantial evidence, as set forth herein.
14. To the maximum extent practicable, potential adverse environmental effects revealed in the environmental review process will be minimized or avoided by the incorporation of mitigation measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Planning Board's own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Planning Board determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

VOTE:

Ancello - yes
Marianetti - yes
Selke - yes

Burke - absent
Plouffe - yes
Sofia - yes
Fisher - yes

MOTION CARRIED
SEQRA DETERMINATION
NEGATIVE DECLARATION

Ms. Plouffe then made the following motion, seconded by Mr. Selke, to approve the Proposal, subject to the following conditions:

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally presented to the Planning Board, and as set forth herein. In the event of any conflict among the oral or written descriptions of the proposal, the site development plans of the proposal, or the requirements or restrictions of this resolution, the Applicant agrees that the Planning Board shall determine the resolution of such dispute.
2. The Owner of the Premises shall file a memorandum of development restrictions in the Office of the Monroe County Clerk. Such memorandum shall reference the private Parking License Agreement referred to in Condition #4 of this approval and shall acknowledge that the Premises are subject to the terms and conditions of this Planning Board approval, and that such conditions are binding on all current and future owners of the Premises.
3. As offered and agreed by the Applicant, parking which currently exists within the Lawson Road street right-of-way (a town road) shall be removed. A 5-foot-wide concrete sidewalk shall be installed within the street right-of-way as shown on the

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approved site plan and in accordance with the Town of Greece Specifications for Construction of Roadways and Utilities. The Applicant shall be responsible for obtaining permits for any work taking place in the town's right-of-way.

4. In order to maintain compliance with §211-45 of the Town of Greece Code (Minimum Parking Requirements) and in accordance with findings of fact in the Board of Zoning Appeals' September 7, 2010 resolution granting a variance from §211-42 of the Town of Greece Code (Parking Space Location), the Applicant has entered into a Parking License Agreement with Sansone Properties East, LLC, owner of adjoining property located at 3950 Dewey Avenue (tax account #060.07-3-31), which allows use of parking spaces on such property by the Applicant. Termination of such private Parking License Agreement shall cause such variance to be null and void and further shall cause the Applicant to be in violation of §211-45 of the Town of Greece Code (Minimum Parking Requirements) by way of eliminating a portion of the parking spaces required. Recognizing that the private Parking License Agreement provides for termination of such agreement by either party upon 60 days written notice to the other party, the Planning Board hereby requires that the Applicant notify the Town of Greece in writing of any pending termination of such agreement within 10 days of such notice being sent by either party, and further that the Applicant shall pursue any permits, approvals, and/or re-approvals as may be necessary to install banked parking shown on the site plan. Upon expiration of the 60-day period referred to in such Parking License Agreement, the Applicant may be subject to enforcement under Article X of the Town of Greece Code (Administration and Enforcement) for failure to comply with minimum parking requirements.
5. As offered and agreed by the Applicant, the Applicant shall provide a hydrant in compliance with the New York State Fire Code, the details and location of which shall be subject to approval by the town's Fire Marshal and the Monroe County Water Authority.
6. The drive lane located immediately to the west of the church shall be widened to 20 feet in order to provide adequate access for emergency response vehicles. Final details, including but not limited to the slope, pavement cross section, and any necessary modifications to the surrounding grade shall be subject to approval by the Town's Fire Marshal, Building Inspector, and Chief Engineer.
7. The landscaping on the Premises shall be maintained by the current owner of the Premises, and by any future owner. The owner of the Premises shall replace any dead plants with the same species or a similar species. The replacement plant shall be no smaller than the previous plant when it originally was installed. A note that indicates these requirements shall be added to the plan.
8. The Planning Board agrees that the Applicant may reduce landscaping on the site so long as the landscaping being reduced is, in the opinion of the Clerk of the Planning Board, only for the benefit of the church and its congregation. Final landscape plans shall be subject to approval by the Clerk of the Planning Board.
9. Prior to the issuance of a Final Certificate of Occupancy for the Premises, The Applicant shall provide certification verifying proper installation of landscape areas on the site in accordance with the landscape plan approved by the Planning Board, and in accordance with the Town's Landscape Guidelines for Development. Such certification shall be on the certification form provided in such guidelines and shall be completed by a New York State Licensed Landscape Architect or Certified Nursery Professional. A note that indicates these requirements shall be added to the plan.

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10. All heating, ventilation, and air conditioning (HVAC) equipment shall be screened from public view. If the HVAC equipment is or will be roof-mounted, the screening for such HVAC equipment shall be visually compatible with the proposed building(s), and shall be shown on the architectural elevations of the building(s). If the HVAC equipment is or will be ground-mounted, its location shall be shown on the site plan. Evidence that such HVAC equipment is or will be screened shall be submitted for review and approval by the Clerk of the Planning Board prior to affixing the Planning Board approval signature to the site plan.
11. The exterior appearance (that is, materials, colors, and architectural style) of the proposed addition shall be generally consistent on all sides of the proposed addition, and shall be visually compatible with the existing building. As offered and agreed by the Applicant, such materials and colors shall be horizontal siding (in the tan and brick-red color families) with a brick veneer water table (in the brick red color family), with white trim and a combination of asphalt and standing-seam metal roofing (in the brown color family). Elevations of the exterior appearance shall identify these colors and materials, shall show all sides of the proposed addition, and shall be filed with the site plan.
12. Snow storage areas shall be identified on the site plan and landscape plan.
13. No building permits shall be issued unless and until a digital copy of the plans has been submitted. All sheets in the drawing set, with all necessary signatures, shall be provided in Tagged Image File (".TIF") format at a minimum resolution of 400 dpi.
14. The locations of the designated fire lanes shall be shown on the Site Plan.
15. The locations of all exterior doors shall be shown on the plan. All exterior doors shall be connected by a sidewalk to an acceptable fire safety zone.
16. Permanently mounted "No Parking – Fire Lane" signs shall be posted along the fire lanes at intervals of 50 feet or less. A note that indicates this requirement shall be added to the plan.
17. No building permits shall be issued unless and until the Applicant executes an agreement for maintenance of the proposed storm water management pond. Such agreement shall be subject to approval by the Planning Board's Attorney and the Commissioner of Public Works.
18. No final approval signature shall be placed on the plans unless and until the appropriate easement documents have been prepared and provided to the Town for review.
19. Upon completion of construction of the storm water management pond, the Applicant shall provide certification that such pond was constructed as designed and approved. Such certification shall be provided in the form of an as-built topographic survey with pertinent utility structures shown, prepared by a New York State Licensed Land Surveyor. No final approval signatures shall be placed on the site plan unless and until the Applicant has submitted to the Town a financial guarantee (such as a letter of credit, certified check, or other acceptable instrument), in an amount approved by the Town's Commissioner of Public Works and the Town Attorney, that is sufficient to properly construct the proposed pond, and to provide the aforementioned certification. No release of such financial guarantee shall be made unless and until the improvements and certification are completed to the satisfaction of the Town's Commissioner of Public Works and the Town Attorney.
20. Subject to approval by the Town's Fire Marshal, Chief Engineer, and Commissioner of Public Works.

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21. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
22. Wherever this resolution refers to a specific public official or agency, it shall be construed to include successors and assigns.
23. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

VOTE:	Ancello	- yes	Burke	- absent
	Marianetti	- yes	Plouffe	- yes
	Selke	- yes	Sofia	- yes
			Fisher	- yes

MOTION CARRIED
APPLICATION APPROVED
WITH CONDITIONS

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2. Applicant: 4320 West Ridge LLC

Location: Generally north of and including 4232 – 4350 West Ridge Road

Request: Site plan approval for Phase I of the Hampton Ridge Center commercial development, consisting of a proposed automotive sales and leasing dealership (28,924+/- square feet) with related parking, utilities, grading, and landscaping on approximately 7.2 acres, plus additional acreage for storm water management

Mon. Co. Tax No.: 073.01-1-2.1, -3, -4, -5, -6, -7; 073.01-2-63, -64.111, -64.12, -64.2, -68

The following is a synopsis of the discussion pertaining to the above-referenced request:

Paul Colucci, Vice President, The DiMarco Group, presented the application.

Mr. Colucci: I want to take the opportunity tonight to revisit some of the items discussed at our last meeting. It has been two months (August 21) since we last appeared before the Board. At that meeting, some issues were raised by the Board. We since have met with Town staff and I would like to bring you up to speed and indicate what our plan is going forward.

The roof on the cobblestone house was discussed; specifically, whether it needed any repair or replacement. We met with Town of Greece Technical Services staff on-site and received a positive recommendation from them that the condition of the roof is sufficient at this time; there was no water intrusion. We have cleaned up the house at the Board's recommendation. As you are aware, there was some vandalism to the cobblestone house last week. I feel that we had good communication with the Town. We have removed the graffiti, placed "No Trespassing" signs, and added a fence to secure the property. (He showed before and after photographs of the cobblestone house.) As far as the cobblestone house is concerned, we are in good shape. We will be diligent regarding the property, to the best of our ability.

Regarding the buffer to the north, which was discussed at the Board's August 21 meeting, we had a 100-foot-wide buffer to the east. We then turned our attention to the north working with the Town and the owner of the property to the north, Mr. Thomas. We received a letter from LaDieu Associates, Tom Thomas's engineer. They discussed future sanitary sewer connection and alignment as we bring it southward from the Images West subdivision to our north property line. It also discussed storm water and outfall of our pond on the property to the north. We have received a solution agreeable to Mr. Thomas. We will put the storm water outfall from our pond into a swale, they will grant an easement, and the swale will run adjacent to the access road centered over the sanitary sewer. We would accomplish this during Phase 1 of our project. They acknowledged that there is a large degree of wetland just north of our property and stated that our plans for a 65-foot-wide buffer are sufficient.

Traffic was discussed at the Board's August 21 meeting. At that time, the Town's Traffic Advisory Committee (TAC) had not had an opportunity to review the plans. Phase 1 is a T intersection. Since August 21, the TAC has indicated that the T intersection is acceptable for Phase 1. We will revisit the configuration of the intersection with future development phases. On September 22, we received a letter from the New York State Department of Transportation (NYSDOT) indicating that they have reviewed the traffic assessment for the current proposal and are in agreement with it. The traffic generated for Phase 1 would not generate a negative impact.

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At the Board's August 21 meeting, we discussed the western property buffer as well. The Board wanted us to provide a 100-foot-wide buffer there as well. This phase of the development is not proposing any commercial construction north of Auction Direct. We have reviewed Geographic Information Systems (GIS) mapping and question the ability to develop the property east of Smith Creek. There is a floodplain that renders most of the property east of Smith Creek somewhat undevelopable. We will review on future phases, but are not proposing any improvements at this time. (He provided copies of the GIS map and questioned the need to buffer a floodplain.)

We also discussed the sanitary sewer. We are working with our engineer to develop a plan that meets our needs. We would like to meet with Town staff next week to review the sanitary sewer plan and obtain comments.

Mr. Copey: I would like to extend the Town's appreciation for the quick response and work you have done relative to the historic house on the property.

Mr. Fisher: Removal of the ivy and brush from the building made the Technical Services Department report more credible relative to the sustainability of the cobblestone house.

Mr. Gauthier: We have submitted comments to which we have not yet received a response.

Motion by Mr. Marianetti, seconded by Mr. Ancello, to continue the application to the November 17, 2010 meeting, as requested by the applicant.

VOTE:	Ancello	- yes	Burke	- absent
	Marianetti	- yes	Plouffe	- yes
	Selke	- yes	Sofia	- yes
			Fisher	- yes

MOTION CARRIED
APPLICATION CONTINUED TO
NOVEMBER 17, 2010, MEETING

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New Business

1. Applicant: Benderson Development Company, LLC

Location: 3188 – 3196 Latta Road

Request: Site plan approval for a proposed one-story bank (Canandaigua National Bank; 3,160 square feet) as a phase of development of a commercial plaza, with related parking, utilities, grading, and landscaping on approximately 0.75 acres

Zoning District: BR (Restricted Business)

Mon. Co. Tax No.: 045.03-1- 3, -4, -5, -9, -10

The following is a synopsis of the discussion pertaining to the above-referenced request:

Matt Oates, Benderson Development Company; Carl Ast, T.Y. Lin International; and Dan Mossien and Jeff Ashline of Mossien Architects presented the application.

Mr. Oates: This bank will be located in the previously approved Walgreens Pharmacy development at Latta and Long Pond Roads. This is Phase 2 of the development. It is an out parcel on the Latta Road side, at the signalized intersection for Wegmans. To access the site, you enter from Latta Road and the bank will be on the west side of the driveway. The utilities, storm water, and sanitary were reviewed as part of the overall site plan.

We received three comments from the Town's Traffic Advisory Committee (TAC). They discussed elimination of the bank's southern exit out to the Latta Road driveway. We have worked with the Fire Marshal, and he requires that exit. If at a future time, the Fire Marshal is okay with eliminating it, we would be open to that. The TAC was concerned about the sight distance for teller #4. Benderson has no problem putting in a "Stop" bar for all northbound exiting vehicles. The TAC also commented on stacking of cars. I should point out that this plan has been modified to show a second entrance lane coming off Latta Road. It provides an additional lane to enter the site, and better overall traffic flow.

Mr. Ast: We were asked to look at stacking for the drive-up tellers. We compared the queue lengths to our West Ridge Road branch. Based on the that comparison, we were very comfortable that this would accommodate all the vehicles being processed. We also looked at a Henrietta site near I 390; in Brighton on Monroe Avenue, southeast of the Twelve Corners; and in Webster on Empire Boulevard, northeast of Bay Road. All those roads have similar traffic volumes to Latta Road. We looked at stacking of cars on a Friday from 4:15 p.m. to 5:45 p.m., and took five-minute observations of vehicles stacked at those facilities. Two of them had two teller aisles; the Webster branch had one teller aisle. There were only two five-minute intervals where cars were stacked one beyond the car being serviced. We expect the same conditions to exist at this Latta Road site, except that we have three teller lanes. We are confident that it will not block the driveway or entrance.

Mr. Fisher: The TAC suggested lane striping to encourage drivers to be in the proper place.

Mr. Ast: Yes; we will do that.

Mr. Mossien: This is the 25th Canandaigua National Bank (CNB) that we have designed; every branch is different, with the exception of the vaults. They are all designed for the area in which they are built. We have met with the Town historian twice to obtain Greece history. We felt school/education was a theme that we wanted to base our design on and chose Greece Schools 9 and 15 (going back 100 years). In all CNB banks, we provide a tremendous amount of history. This bank will have scans of photographs reflecting

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education in Greece. The photographs inside will come from the Greece Historical Society and Eastman Kodak Company. The bank executives reviewed the architectural plans yesterday and loved them. We are anxious to build next spring and open in October. (Showed samples of materials to the Board.) Light tan base stone, with green siding, and doors in dark red. There is a cupola on top, which is glass to allow light into the bank.

Mr. Copey: The Monroe County Development Review Committee did review the project and had only standard comments. The Greece Environmental Board had a few comments indicating trees damaged during site development should be added to compensate for those lost. Town staff comments were minimal. I have spoken with Matt Oates regarding access off the main driveway. I have a memo dated October 19 from Cindy Ziarko, the Town's Chief Engineer and Chair of the TAC, in which she commented on the southern access, sight distance for vehicles leaving teller #4, and stacking lanes requiring marking. The Town is pleased with the architecture and would like to see this look extended throughout the site.

Mr. Gauthier: Engineering had two comments. One was resolved by the TAC, and the other was regarding the placement of a sanitary sewer cleanout near the easement line.

Mr. Selke: The entrance to the bank is on the south side? Will there be curbing at the sidewalk? Where will employees park?

Mr. Mossien: The entrance will be on the south side, with employees parking on the north end. There will be curbing; drivers would have to jump the curb to get to pedestrians on the sidewalk.

Mr. Selke: I'd like to see "Stop" signs at appropriate places. What kind of lighting?

Mr. Mossien: We have lighting for signs and landscaping. We have the required New York State lighting under the canopy and all lighting will be directed down. The plaza will use the same parking lighting throughout.

Mr. Selke: Explain the landscaping.

Mr. Oates: The landscaping approved for Walgreens will continue throughout the site. There will be trees along Latta Road, and plantings at the Latta Road entrance. The trees used will be honey locust and Ransom crab.

Mr. Selke: Are there any plans to change the exit lanes (signage, paving markings) to direct vehicles?

Mr. Oates: The traffic signal is being modified. We will add an eastbound Latta Road left-turn lane into our site. Wegmans will be modifying their Latta Road exit lanes to show a through lane in addition to the right- and left-turn lanes. The plans have been reviewed and approved by the New York State Department of Transportation. There will be cross access to both existing plazas.

Mr. Selke: If the island in the access driveway were shortened a bit to the south, it might aid in a more direct turn into the drive-up teller aisles.

Mr. Oates: We can look at it. It might open it up making it wider and more vulnerable to traffic crossing through there.

Mr. Fisher: You need a "Stop" sign right at the corner of the building.

Mr. Oates: Yes; we can do that.

Mr. Copey: There is an emergency generator proposed near the building. Can that be screened or does it have to go there?

Mr. Mossien: Other towns have asked us not to screen it. They want the generator visible for the Fire Department so that it doesn't get sprayed. We could put landscaping around it.

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Mr. Fisher: We generally request utilities to be screened. It could be something that looked like the building or shrubs. I think shrubs are generally easier. We will need to check with the Fire Marshal.

Motion by Mr. Selke, seconded by Mr. Sofia:

WHEREAS, Benderson Development Company (the "Applicant") has submitted a proposal to the Town of Greece Planning Board (the "Planning Board") for approval of a site plan for Canandaigua National Bank, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located 3188 – 3196 Latta Road (the "Premises"); and

WHEREAS, the Planning Board makes the following findings:

1. Upon review of the Proposal, the Planning Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617 *et seq.*, the "SEQRA Regulations") (collectively, "SEQRA"), and that the Proposal constitutes an Unlisted action under SEQRA.
2. The Planning Board has considered the Proposal at a public meeting (the "Meeting") in the Greece Town Hall, 1 Vince Tofany Boulevard, at which time all persons and organizations in interest were heard.
3. Documentary, testimonial, and other evidence were presented at the Meeting relative to the Proposal for the Planning Board's consideration.
4. The Planning Board carefully has considered an Environmental Assessment Form and supplementary information prepared by the Applicant and the Applicant's representatives, including but not limited to supplemental maps, drawings, descriptions, analyses, reports, and reviews (collectively, the "Environmental Analysis").
5. The Planning Board carefully has considered additional information and comments that resulted from telephone conversations, meetings, or written correspondence from or with the Applicant and the Applicant's representatives.
6. The Planning Board carefully has considered information, recommendations, and comments that resulted from telephone conversations, meetings, or written correspondence from or with various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development, the Monroe County Department of Environmental Services, the Town of Greece Environmental Board, and the Town's own staff.
7. The Planning Board carefully has considered information, recommendations, and comments that resulted from telephone conversations, meetings, or written correspondence from or with nearby property owners, and all other comments submitted to the Planning Board as of this date.
8. The Environmental Analysis examined the relevant issues associated with the Proposal.
9. The Planning Board has met the procedural and substantive requirements of SEQRA.
10. The Planning Board carefully has considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQRA.

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11. The Planning Board carefully has considered (that is, has taken the required "hard look" at) the Proposal and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis.
12. The Planning Board concurs with the information and conclusions contained in the Environmental Analysis.
13. The Planning Board has made a careful, independent review of the Proposal and the Planning Board's determination is rational and supported by substantial evidence, as set forth herein.
14. To the maximum extent practicable, potential adverse environmental effects revealed in the environmental review process will be minimized or avoided by the incorporation of mitigation measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Planning Board's own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Planning Board determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

VOTE:	Ancello	- yes	Burke	- absent
	Marianetti	- yes	Plouffe	- yes
	Selke	- yes	Sofia	- yes
			Fisher	- yes

MOTION CARRIED
SEQRA DETERMINATION
NEGATIVE DECLARATION

Mr. Selke then made the following motion, seconded by Mr. Sofia, to approve the Proposal subject to the following conditions:

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally presented to the Planning Board, and as set forth herein. In the event of any conflict among the oral or written descriptions of the proposal, the site development plans of the proposal, or the requirements or restrictions of this resolution, the Applicant agrees that the Planning Board shall determine the resolution of such dispute.
2. No building permits shall be issued unless and until highway permits are issued. A note that indicates this requirement shall be added to the plan.
3. Addresses for each building shall be added to the plan.
4. The plan shall show the dimensions and purpose of the easements on the Premises, to whom the easements are granted, and the Libers and Pages at which they are filed or recorded in the Office of the Monroe County Clerk.
5. The landscaping on the Premises shall be maintained by the current owner of the Premises, and by any future owner. The owner of the Premises shall replace any

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dead plants with the same species or a similar species. The replacement plant shall be no smaller than the previous plant when it originally was installed. A note that indicates these requirements shall be added to the plan.

6. Prior to the issuance of a Final Certificate of Occupancy for the Premises, The Applicant shall provide certification verifying proper installation of landscape areas on the site in accordance with the landscape plan approved by the Planning Board, and in accordance with the Town's Landscape Guidelines for Development. Such certification shall be on the certification form provided in such guidelines and shall be completed by a New York State Licensed Landscape Architect. A note that indicates these requirements shall be added to the plan.
7. The location of any outdoor refuse container on the Premises, along with the height and type of enclosure for such container, shall be shown on the plan. If refuse is to be stored inside the building, a note that indicates this shall be added to the plan.
8. All heating, ventilation, and air conditioning (HVAC) equipment shall be screened from public view. If the HVAC equipment is or will be roof-mounted, the screening for such HVAC equipment shall be visually compatible with the proposed building(s), and shall be shown on the architectural elevations of the building(s). If the HVAC equipment is or will be ground-mounted, its location shall be shown on the site plan. Evidence that such HVAC equipment is or will be screened shall be submitted for review and approval by the Clerk of the Planning Board prior to affixing the Planning Board approval signature to the site plan.
9. The exterior appearance (that is, materials, colors, and architectural style) of the proposed building shall be the same on all sides of the proposed building. As offered and agreed by the Applicant, such materials and colors shall be horizontal siding (in the green color family) a masonry water table (in the gray/brown color family), with red-brown trim and asphalt roof (in the black color family). Elevations of the exterior appearance shall identify these colors and materials, shall show all sides of the proposed building, and shall be filed with the site plan.
10. The lighting on the Premises that is intended to comply with the requirements of the New York State Automated Teller Machine Safety Act *et seq.* (the "ATM Safety Act"), shall not exceed the minimum requirements of the ATM Safety Act. To the extent practicable within the lighting requirements of the ATM Safety Act, light spill shall be contained on the Premises, and outdoor light sources shall be aimed or shielded so that they are not visible when viewed from off the Premises and so that light spill is cast only downward onto the Premises. Final details and lighting levels for lights under the drive-up canopy shall be subject to approval by the Clerk of the Planning Board.
11. Snow storage areas shall be identified on the site plan and landscape plan.
12. No building permits shall be issued unless and until a digital copy of the plans has been submitted. All sheets in the drawing set, with all necessary signatures, shall be provided in Tagged Image File (".TIF") format at a minimum resolution of 400 dpi.
13. The locations of the designated fire lanes shall be shown on the Site Plan.
14. The locations of all exterior doors shall be shown on the plan. All exterior doors shall be connected by a sidewalk to an acceptable fire safety zone.
15. Water mains and hydrants shall be installed and be in proper operating conditions prior to the commencement of any aboveground construction.

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16. Suitable access roads and temporary street signs shall be installed and maintained so as to provide continuous access to fire department and other emergency vehicles prior to the commencement of any aboveground construction.
17. Permanently mounted "No Parking – Fire Lane" signs shall be posted along the fire lanes at intervals of 50 feet or less. A note that indicates this requirement shall be added to the plan.
18. No final approval signature shall be placed on the plans unless and until the appropriate easement documents have been prepared and provided to the Town for review.
19. Subject to approval by the Town's Fire Marshal, Chief Engineer, and Commissioner of Public Works.
20. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
21. Wherever this resolution refers to a specific public official or agency, it shall be construed to include successors and assigns.
22. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.
23. As offered and agreed by the Applicant, the Applicant shall modify pavement striping to better define the ATM/teller approach lanes. Such modifications shall be subject to approval by the Chief Engineer.
24. As offered and agreed by the Applicant, the southernmost exit-right-only driveway may be removed at a later date as directed by the Planning Board upon recommendation from the town's Traffic Advisory Council, and upon the approval of the town's Fire Marshal.
25. As offered and agreed by the Applicant, and for the purpose mitigating a potential blind-spot for vehicles exiting the ATM/teller drive-up lanes, a stop sign and stop bar shall be provided on the north-bound lane of the driveway immediately west of the bank building.
26. As offered and agreed by the Applicant, the proposed generator on the east side of the bank shall be screened from public view. The method used and the final design and details of such screening shall be subject to approval by the Clerk of the Planning Board.

VOTE:	Ancello	- yes	Burke	- absent
	Marianetti	- yes	Plouffe	- yes
	Selke	- yes	Sofia	- yes
			Fisher	- yes

MOTION CARRIED
APPLICATION APPROVED
WITH CONDITIONS

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ADJOURNMENT: 8:20 p.m.

APPROVAL OF PLANNING BOARD MEETING MINUTES

The Planning Board of the Town of Greece, in the County of Monroe and State of New York, rendered the above decisions.

Signed: _____

Chairman

Date: _____